

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Scott Matthew Tovey,

Civil No. 09-508 (PAM/RLE)

Petitioner,

v.

**ORDER**

Warden M. Cruz, Federal  
Prison Camp-Duluth,

Respondent.

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This matter is before the Court on the Report and Recommendation ("R&R") of Chief Magistrate Judge Raymond L. Erickson dated December 23, 2009. The R&R recommends that the Petition for a Writ of Habeas Corpus be dismissed with prejudice. Petitioner did not file any objections to the R&R in the time period permitted. Accordingly, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation (Docket No. 14) is **ADOPTED**; and
2. The Petition (Docket No. 1) is **DISMISSED with prejudice**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: Monday, January 25, 2010

*s/ Paul A. Magnuson*

Paul A. Magnuson  
United States District Court Judge